

Julie Masters, Mayor  
Charles Suderman  
Bruce Henderson  
Walter Wilson

**MINUTES**  
City of Dickinson  
**CITY COUNCIL**  
**REGULAR MEETING**

Wally Deats, Mayor Pro Tem  
Louis Decker  
William H. King III  
Julie M. Robinson, City  
Administrator

**April 12, 2016**

**NOTICE** is hereby given of a **REGULAR MEETING** of the City Council for the City of Dickinson, County of Galveston, State of Texas, to be held on **TUESDAY, April 12, 2016, at 7:00 p.m.** at: 4403 Highway 3, Dickinson, Texas 77539 for the purpose of considering the following numbered items. The City Council of the City of Dickinson, Texas, reserves the right to meet in a closed session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

**ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM:**

Invocation and Pledge of Allegiance.

Mayor Masters called the meeting to order at 7:04 p.m. Minister Larry Chase with Greater New Hope Missionary Baptist Church gave the invocation, and Council Members led the Pledge of Allegiance. Interim City Secretary Alun Thomas called roll and certified a quorum. Council Members present were as follows: Mayor Julie Masters, Mayor Pro-Tem Wally Deats, and Council Members Louis Decker, Walter Wilson, Bruce Henderson, and William H. King, III. Council Member Charles Suderman was absent. Also present were City Administrator Julie Robinson, City Attorney David Olson, Administrative Services Manager Stephanie Russell, Director of Community Development Zach Meadows, Public Works Director Kellis George, and Chief Ron Morales.

**ITEM 2.) PROCLAMATIONS:**

- A. Parkinson's Disease
- B. Holy Trinity Episcopal Church Strawberry Festival
- C. Child Abuse Awareness Month
- D. Fair Housing

Mayor Masters read Proclamations A and C, and indicated that Proclamation B will be read at Holy Trinity Episcopal Church on May 1, 2016. Mayor Masters also advised that Proclamation D will be signed by all members of the Council but not read.

**COUNCIL COMMENTS:**

- Welcome and thanks to all for coming
- Congratulations to Claire Rhoads for receiving an Honorable Mention for her papier-mâché at an art competition in Texas City, and to Bill Bonham and each of the other Dickinson residents who participated in the event.

- Dickinson ISD Education Foundation is hosting its fundraising gala on April 26, 2016 at 6:00 p.m. at South Shore Harbour Resort and Conference Center. Tickets are still available.
- Family Services Center of Galveston County, a non-profit that operates throughout the county to provide affordable or free family counseling, is having a gala on April 30, 2016 at 6:00 p.m., and tickets are still available.
- The Strawberry Festival will be held on May 1, 2016.
- Red, White and Bayou Crawfish and Texas Music Festival will take place on May 21, 2016.
- Larry Crow, a friend of Council Member Deats, recently passed away at age 72. Mr. Crow was a law enforcement officer in La Marque who rose to the rank of Police Chief before becoming Mayor of that city.
- Hope for good weather overnight tonight with the front moving through.
- Condolences to the family of Shellie Ziegler, who has passed away. Together with her husband, Jerry, Mrs. Ziegler was a long-time member and fixture of the Dickinson community, and she will be dearly missed. Services will be held on Thursday morning at the First United Methodist Church in Dickinson, and the wake services will be at the Crowder Funeral Home tomorrow evening from 4:00 to 8:00 p.m.
- Thank you to Police Chief Morales for discussing the railroad tracks on FM 517, and to Alicen Newman, Assistant to the Public Works Director, and the Mayor for working on the issue.
- This week is National Police and Fire Dispatchers Week. Citizens are encouraged to recognize the work of our dispatchers.
- Council Member King will be attending the Texas Municipal League Region 14 meeting in Sugar Land on April 22, 2016.
- Council Member King attended Louis Gill's 90th birthday celebration, and wishes him the best.
- Dickinson Historical Society will host its Night of Wine and Roses fundraiser on April 22, 2016.
- The Greater Bay Area Relay for Life will be held on April 16, 2016, from 3:00 pm through Midnight, at Dickinson High School.

**ITEM 3.) PUBLIC COMMENTS:** At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, The City Council may not deliberate. **Comments from the public should be limited to a maximum of three (3) minutes per individual speaker.**

- A. Tom Trimble – 501 Old Bayou Drive, Dickinson – Mr. Trimble received a bill from Republic Services for solid waste service last year, despite not setting out any trash to be collected. Mr. Trimble does not feel that the minutes from the January 12, 2016 meeting accurately reflect how upset

he was, and he repeated his request for assistance in dealing with his bill from Republic Services as well as the repair of the hole that is on his property. He would like to be kept informed about the progress of any work conducted along the bayou.

- B. Joan Malmrose – 218 FM 517 W, Dickinson – The Dickinson Historical Society has tickets available for purchase for its upcoming Night of Wine and Roses fundraiser. Also, on April 28, 2016, Judge Cowan will make a presentation at the Historic Railroad Depot about how Dickinson became a city.

**ITEM 4.) CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:**

The following items are considered routine by the City Council and will be enacted by one motion. There will not be a separate discussion on these items unless a Council member requests, in which event, the item will be removed from the consent agenda and discussed after the consent agenda.

- A. Approval of the Minutes of the Regular Council Meeting of March 22, 2016
- B. Resolution Number XXX-2016 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A NON-REAL ESTATE DONATION AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND TROY HADAWAY FOR THE DONATION OF MEDICAL SUPPLIES, MEDICATIONS AND 6 AUTOMATIC EXTERNAL DEFIBRILLATORS VALUED AT \$13,200.00; AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.**
- C. Resolution Number XXX-2016 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING A LEASE AGREEMENT FOR 3811 DICKINSON AVENUE, DICKINSON, TEXAS 77539, FOR THE BAYOU ANIMAL SERVICES' ANIMAL CONTROL AND SHELTERING SERVICES FACILITY WITH PATRICK C. RESTIVO FOR THE PERIOD OF MARCH 1, 2016, THROUGH SEPTEMBER 30, 2016; PROVIDING FOR INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.**

Council Member Wilson made a motion to approve the Consent Agenda. Council Member Henderson seconded the motion. There being no discussion, Mayor Masters called for the vote.

**VOTE:**

5 AYES (Wilson, Henderson, Deats, Decker and King)

0 NAYS  
**MOTION PASSED**

**OLD BUSINESS**

**ITEM 5.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update of Public Works Projects

- A. Fiscal Year 2014-2015 Street Maintenance Sales Tax Projects [48<sup>th</sup> Street (East of Highway 3), Leonetti Lane]
- B. Eastside Drainage Project [Disaster Recovery CDBG Round 2.2: Briar Glen Subdivision Drainage]
- C. Drainage and Street Condition Issues Related To Pin Oak Drive

Public Works Director Kellis George presented Council with an update on the status of the current Public Works Projects and addressed the questions of Council.

**ITEM 6.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, ADOPTING CHAPTER 6, TRANSPORTATION, OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.** (Second of Three Readings)

Mayor Masters read the ordinance by caption only. Council Member Deats made a motion to approve the ordinance in two readings, and Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

**VOTE:**

5 AYES (Wilson, Henderson, Deats, Decker and King)

0 NAYS

**MOTION PASSED**

**ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NUMBER 420-2001, AS HERETOFORE AMENDED, SO AS TO REZONE APPROXIMATELY +/- 0.551 ACRES, LEGALLY DESCRIBED AS ABSTRACT 78 R HALL SURVEY LOTS 1 THROUGH 8 & ADJACENT ALLEY, BLOCK 209 NICHOLSTONE 112-LC, GENERALLY LOCATED NORTH OF 28TH STREET AND EAST OF FM**

**1266 WITH THE ADDRESS BEING 2709 DICKINSON AVENUE, IN THE CITY OF DICKINSON, GALVESTON COUNTY, TEXAS, FROM CONVENTIONAL RESIDENTIAL (CR) TO GENERAL COMMERCIAL (GC); DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION HEREOF; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (Second of Three Readings)**

Mayor Masters read the ordinance by caption only. Council Member Henderson made a motion to approve the ordinance in two readings, and Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

**VOTE:**

5 AYES (Wilson, Henderson, Deats, Decker and King)

0 NAYS

**MOTION PASSED**

- ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NUMBER 420-2001, AS HERETOFORE AMENDED, SO AS TO REZONE APPROXIMATELY +/- 0.7855 ACRES, LEGALLY DESCRIBED AS ABSTRACT 19 PERRY & AUSTIN SURVEY PART OF LOT 24, NICHOLS ADDITION DICKINSON, GENERALLY LOCATED ON THE CORNER OF DEATS AND FM 1266 WITH THE ADDRESS BEING 4010 DEATS ROAD, IN THE CITY OF DICKINSON, GALVESTON COUNTY, TEXAS, FROM CONVENTIONAL RESIDENTIAL (CR) TO GENERAL COMMERCIAL (GC); DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION HEREOF; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (Second of Three Readings)**

Council Member Wilson made a motion to table the item since the property owner has not removed the existing fireworks stand as Council had previously directed. Council Member Decker seconded the motion to table. There being no further discussion, Mayor Masters called for the vote.

**VOTE:**

5 AYES (Wilson, Henderson, Deats, Decker and King)

0 NAYS

**MOTION TO TABLE PASSED**

**ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING SECTION 18-11, DEFINITIONS OF TERMS AND PHRASES, OF ARTICLE II, DEFINITIONS, OF CHAPTER 18, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF DICKINSON, TEXAS, TO ADD A DEFINITION FOR "VACATION RENTAL"; REPEALING SECTION 18-61, DEVELOPMENT AND PERFORMANCE STANDARDS, OF ARTICLE V, SPECIFIC USES, OF CHAPTER 18, ZONING, OF THE CODE OF ORDINANCES; ADOPTING A NEW SECTION 18-61, DEVELOPMENT AND PERFORMANCE STANDARDS, TO ESTABLISH MINIMUM REGULATIONS FOR BED AND BREAKFAST AND VACATION RENTAL LODGING; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION HEREOF; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.** (Second of Three Readings)

Mayor Masters read the ordinance by caption only. Council Member Henderson made a motion to approve the ordinance in two readings, and Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

**VOTE:**

4 AYES (Henderson, Deats, Decker and King)

1 NAY (Wilson)

**MOTION PASSED**

**NEW BUSINESS**

**ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Award of Request For Proposals #1603-04 for Construction Management and Inspection Services to Project Surveillance, Inc.

Council Member King made a motion to table the item; however, the motion died for lack of a second. Mayor Masters opened the floor for discussion.

City Administrator Julie Robinson, Administrative Services Manager Stephanie Russell and Council Members Deats addressed the questions of Council concerning the RFP process and the evaluation of proposals.

Council Member Henderson made a motion to approve the award of Request For Proposals #1603-04 for Construction Management and Inspection Services to Project Surveillance, Inc., and Council Member Decker seconded the motion. There being no further discussion, Mayor Masters called for the vote.

**VOTE:**

4 AYES (Wilson, Henderson, Deats and Decker)

1 NAY (King)

**MOTION PASSED**

- ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number XXX-2016 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND PROJECT SURVEILLANCE, INC. AS CONTRACTOR FOR CONSTRUCTION MANAGEMENT & INSPECTION SERVICES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Council Member Henderson made a motion to approve the resolution, and Council Member Wilson seconded the motion. There being no discussion, Mayor Masters called for the vote.

**VOTE:**

5 AYES (Wilson, Henderson, Deats, Decker and King)

0 NAYS

**MOTION PASSED**

- ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number XXX-2016 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, DECLARING THE INTENTION OF THE CITY OF DICKINSON, TEXAS, TO ANNEX CERTAIN TERRITORY; DESCRIBING SUCH TERRITORY; SETTING THE DATES, TIMES, AND PLACES FOR TWO PUBLIC HEARINGS AT WHICH ALL INTERESTED PARTIES SHALL HAVE AN OPPORTUNITY TO BE HEARD; PROVIDING FOR PUBLICATION OF NOTICES OF SUCH PUBLIC HEARINGS; AND DIRECTING PREPARATION OF A MUNICIPAL SERVICE PLAN FOR THE TERRITORY PROPOSED TO BE ANNEXED.**

Mayor Masters read the resolution by caption only. Council Member King made a motion to approve the resolution, and Council Member Henderson seconded the motion. There being no discussion, Mayor Masters called for the vote.

**VOTE:**

5 AYES (Wilson, Henderson, Deats, Decker and King)

0 NAYS

**MOTION PASSED**

Mayor Masters recessed the regular meeting at 7:48 p.m.

**ITEM 13.) EXECUTIVE SESSION:** The City Council will now hold a closed executive meeting pursuant to the provision of Chapter 551, Government Code, Vernon's Texas Codes annotated, in accordance with the authority contained in:

- A. Section 551.071 – Consultation With Attorney Regarding Pending Or Contemplated Litigation Or A Matter In Which The Duty Of The City Attorney Requires To Be Discussed In Closed Meeting.
- B. Section 551.072 – Deliberation Regarding Real Property – Discussion Regarding The Purchase, Exchange, Lease Or Value Of Real Property.
- C. Section 551.074 – Personnel Matter – Discussion To Deliberate The Appointment, Employment, Evaluation, Reassignment, Duties, Discipline Or Dismissal Of The City Secretary.

**ITEM 14.) RECONVENE**

Mayor Masters reconvened the regular meeting at 9:18 p.m.

**ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Matters Discussed in Executive Session.

None.

**ITEM 16.) ADJOURN**

Council Member Wilson made a motion to adjourn the meeting at 9:18 p.m., and Council Member Henderson seconded the motion.

**VOTE:**

5 AYES (Wilson, Henderson, Deats, Decker and King)

0 NAYS

**MOTION PASSED**

**PASSED, APPROVED AND ADOPTED** this the 26th day of April, 2016.

  
Wally Deats, Mayor Pro Tem

**ATTEST:**

  
Alun W. Thomas, Interim City Secretary

